



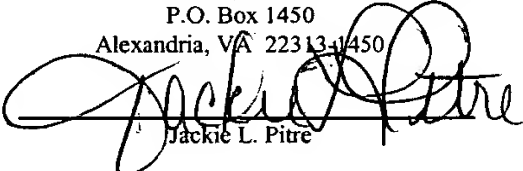
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/707,487
Confirmation No.: 9609
Filed: November 7, 2000
Inventor(s):
Suresh et al.

Title: CATHETER HAVING
INTEGRAL
EXPANDABLE/
COLLAPSIBLE LUMEN

§ Examiner: Thanh, L.H.
§ Art Unit: 3763
§ Old Atty. Dkt. No.: 28122.52
§ New Atty. Dkt. No.: 5838-00400
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<p align="center">CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <u>10/21/04</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:</p> <p align="center">P.O. Box 1450 Alexandria, VA 22313-1450</p> <p align="center"> Jackie L. Pitre</p>

PAYMENT OF ISSUE FEE

MAIL STOP: ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

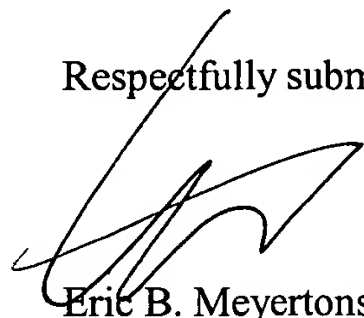
Please find enclosed:

- 1) Issue Fee Transmittal Form PTOL-85B (1 page);
- 2) Comments on Statement of Reasons of Allowance (2 pages);
- 3) Examiner Interview Summary (2 pages);
- 4) Notice of Correspondence Address (2 pages);
- 5) A fee authorization in the amount of \$700.00 (2 pages); and
- 6) A return postcard evidencing receipt of these materials.

Suresh et al.
09/707,487

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5838-00400/EBM.

Respectfully submitted,



Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
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(512) 853-8801 (facsimile)

Date: 10/21/04

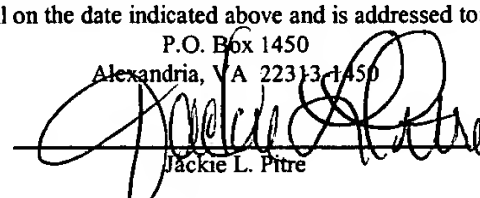
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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

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Commissioner for Patents
P.O. Box 1450
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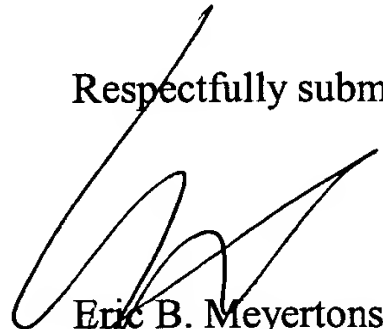
Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance and/or Applicant believes that the Examiner's Statement of Reasons for Allowance is incomplete.

Applicant respectfully submits that the cited art does not teach or suggest the combinations of features set forth in the Applicant's claims. By way of nonlimiting example, Applicant submits the cited references do not appear to teach or suggest at least a lumen which is flexible relative to the catheter body and has a plurality of openings to allow fluid to flow through the lumen such that the velocity of the fluid flow through the lumen is minimized.

Inventors: Suresh et al.
Appl. Ser. No.: 09/707,487
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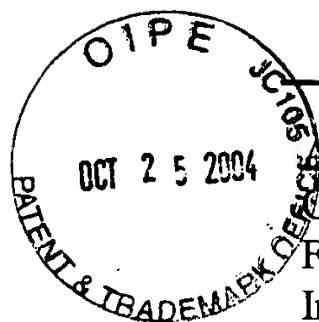
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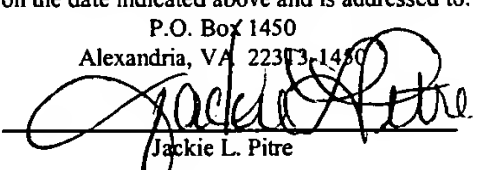
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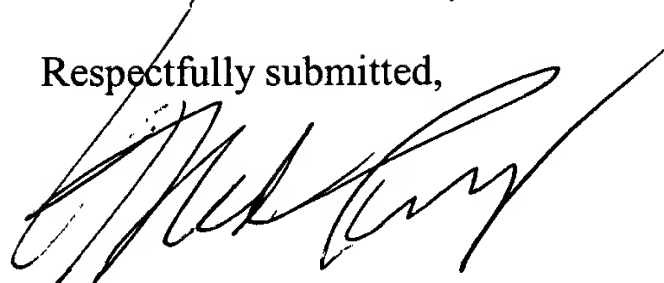
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EXAMINER INTERVIEW SUMMARY

Applicant's agent (Neal E. Persky, Reg. No. 53,452) conducted a phone interview with Examiner L.H. Thanh on August 24, 2004. In the interview, Examiner Thanh and Applicant's agent discussed and error in the Notice of Allowance as regards Applicant's claims (Application No.: 09/707,487). Applicant's agent respectfully noted that claim 37 was not allowed, however, claim 37 was never cancelled. Examiner Thanh agreed that the Notice of Allowance was in error and agreed to issue a Supplementary Notice of Allowance noting the allowance of claim 37 in addition to the already allowed claims. Examiner Thanh also agreed to issue an Interview Summary explaining the reason for the issuance of the Supplementary Notice of Allowance.

Inventors: Suresh et al.
Appl. Ser. No.: 09/707,487
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Respectfully submitted,



Neal E. Persky
Reg. No. 53,452

Agent for Applicants

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